

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7251-7300.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 30, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7251. Adulteration and misbranding of condensed milk. U. S. * * * v. 24 Cases of Condensed Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9922. I. S. No. 2359-r. S. No. W-287.)

On March 22, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 cases of condensed milk, remaining unsold in the original unbroken packages at Vancouver, Wash., alleging that the article had been shipped on September 27, 1918, by T. W. Jenkins & Co., Portland, Ore., and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Holly Unsweetened Condensed Milk Manufactured by Holly Milk & Cereal Co., Portland, Oregon."

Adulteration of the article was alleged in the libel for the reason that an insufficiently condensed milk had been mixed and packed with, and substituted wholly or in part for, condensed milk, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement borne on the label, to wit, "Condensed Milk," was false and misleading and deceived and misled the purchaser into the belief that the product was condensed milk, whereas examination showed it to be partially condensed milk, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, condensed milk.

On May 3, 1919, the Holly Milk & Cereal Co., Amity, Ore., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*